IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

NO. 5:19-CV-512-BO

UNITED STATES OF AMERICA, ex rel., ANJELICA BROWN, Plaintiffs,)))	
v.)	JOINT DISCOVERY PLAN
MINDPATH CARE CENTERS, NORTH CAROLINA, PLLC, JEFF WILLIAMS,)	
ABIGAIL SHERIFF, SARAH WILLIAMS, Defendants.)	

JOINT MOTION FOR COURT-HOSTED SETTLEMENT CONFERENCE UNDER LOCAL RULE 101.2 AND THE COURT'S SCHEDULING ORDER

Plaintiff, United States of America, by and through the United States Attorney for the Eastern District of North Carolina, and Defendants Mindpath Care Centers, Jeff Williams, Abigail Sheriff and Sarah Williams, by and through undersigned counsel, request that the Court order a Court-Hosted Settlement Conference and appoint a United States Magistrate Judge to conduct this mediation, pursuant to Local Civil Rule 101.2 and the Court's previous Scheduling Order [DE 53].

- This joint motion is filed to request that the Court order a Court-Hosted
 Settlement Conference before a United States Magistrate Judge.
- 2. The Defendants stated in the Joint Discovery Plan that "settlement may be enhanced by use of mediation before a United States Magistrate Judge." [DE 51, at 8]. The United States and Defendants made efforts to settle this action and are now prepared for Court-Hosted Mediation.

- 3. The Court's prior Scheduling Order [DE 53 at 2] stated "Upon request, this [C]ourt will assist with settlement negotiations or other ADR by making available a judge other than the trial judge to explore these possibilities should the parties' efforts at private mediation prove unsuccessful."
- 4. Both parties have expressed interest in settlement and mediation.
- 5. It should be noted that the United States Attorney's Office has settlement approval authority for the False Claims Act issues presented in this action, in consultation with the Department of Health and Human Services, and that a standard Settlement Agreement must be prepared and executed by Government officials and Defendants if the parties reach a settlement.

Wherefore, the United States and Defendants move this Court to order a Court-Hosted Settlement Conference before a United States Magistrate Judge.

Respectfully submitted,

DANIEL P. BUBAR

Acting United States Attorney

NEAL I. FOWLER

Assistant United States Attorney

Civil Division

150 Fayetteville Street, Suite 2100

Raleigh, NC 27601-1461 Telephone: (919) 856-4049

Facsimile: (919) 856-4821

Email: Neal.fowler@usdoj.gov

NC Bar #27371

4.24.25 DATE

R. Daniel Boyce Attorney at Law

MAYNARD NEXSEN PC

4141 Parklake Ave., Suite 200

Raleigh, NC 27612

Telephone: 919-653-7825

Fax: 919-833-7536

Email: dboyce@maynardnexsen.com

N.C. State Bar No. 12329

CERTIFICATE OF SERVICE

I hereby certify that I have this 24 day of April, 2025, served a copy of the foregoing upon the below listed Parties electronically and/or by placing a copy of the same in the U.S. Mails, addressed as follows:

R. Daniel Boyce Alice V. Harris Jenna K. Godlewski Attorney at Law MAYNARD NEXSEN PC 4141 Parklake Ave., Suite 200 Raleigh, NC 27612

W. Stacy Miller, II Miller Law Group, PLLC P.O. Box 6430 Raleigh, NC 27628

/s/ Neal I. Fowler

NEAL I. FOWLER

Assistant United States Attorney

Civil Division

310 New Bern Avenue

Suite 800, Federal Building

Raleigh, NC 27601-1461

Telephone: (919) 856-4049 Facsimile: (919) 856-4821

NC Bar #27371

Counsel for United States of America